

Appl. No. 10/536,474
Response to Office Action mailed May 24, 2007

Atty Dkt. No. 114208-048

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REMARKS

The non-final Office Action was issued on pending claims 13-25. Claims 13-25 stand rejected. In this Response, claims 13, 16, 19 and 20 have been amended, claim 18 has been cancelled without prejudice and no claims have been added. Thus, claims 13-17 and 19-25 are pending in the application.

Applicants invite the Examiner to call Applicants' Representative to discuss any issues with this application.

Claim Rejections – 35 USC §103

At Office Action paragraph 2, claims 15-21, 24 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent Document JP 2002-253607 A in view of Japanese Patent Document JP 2,238,707 A and Japanese Patent Document JP 2-226023 A. At paragraph 3 of the Office Action, claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over JP '607 in view of JP '707 and JP '023 and further in view of Provost et al. (US 4,884,323). At paragraph 4 of the Office Action, claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over JP '607 in view of JP '707 and JP '023 and further in view of Japanese Patent Document 6-103. Applicants respectfully disagree.

Independent claim 13 has been amended to include dependent claim 18, and claim 18 has been cancelled without prejudice. Claims 16, 19 and 20 have been amended to be consistent with the amendment to claim 13 and the cancellation of claim 18.

In the paragraph bridging pages 2 and 3 of the Office Action, the Office Action acknowledges JP '607 fails to disclose the features of Applicants' claimed invention pertaining to the peeling-off sound Fourier-transformed as claimed in independent claims 13-15. JP '707 and JP '023 may include observation of acoustic spectra on which Fourier transform has been preformed as a method for measuring noise. However, Applicants' data processing after the Fourier transformation is totally different from that in the Fourier transformation of JP '707 and JP '023. JP '707 and JP '023 require complicated calculation operations and controlling operations which should be continuously preformed during noise generation. This is because JP '707 pertains to a sound absorber for a rotating device and JP '023 pertains to a control for

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reducing noise from a utility room having a compressor. Conversely, Applicants' invention pertains to a surface fastener which reduces a peeling sound caused when a surface fastener is peeled off from its attachment. Applicants' surface fastener – compared to the prior art JP '707 sound absorber for a rotating device and JP '023 noise reduction in a utility room having a compressor – only requires easy calculations in a preparation stage. Furthermore, the JP '707 sound absorber for a rotating device and the JP '023 noise reduction in a utility room having a compressor pertain to significantly different fields of art compared to Applicants' fiber-made surface fastener. The Office Action at page 5 asserts that Applicants' claimed particular frequency ranges and ratios of integral values are well-known or obvious. However, the Office Action does not provide specific examples in the prior art of Applicants' claimed limitations. The Office Action merely asserts that Applicants' claimed ranges are a discovery of optimum or workable ranges. Contrary to the assertions in the Office Action, Applicants' claimed ranges and values are critical features of Applicants' invention and not merely optimized or workable ranges and values. Applicants' claimed invention is not measuring the reduction of noise but rather pertains to setting features within a range of a particular sound spectrum obtained by the measurement.

It appears that the Office Action relies on JP '707 and JP '023 merely because those references pertain to Fourier-transformed sound data. However, that does not render Applicants' claimed invention obvious. JP '707 and JP '023 pertain to significantly different art fields relative to Applicants' surface fastener. Furthermore, JP '707 and JP '023 do not disclose or suggest the particular features of Applicants' invention as claimed in independent claims 13-15.

Applicants now provide further comments in response to the assertions in the Office Action at pages 3 and 4 underneath the heading "JP '607 also discloses that:."

Regarding claim 16, JP '607 does not disclose or suggest Applicants' claimed feature of a sum of bending strength of base fabrics is 36 gf-cm/2.5 cm or less.

As to claim 13, JP '607 does not disclose or suggest Applicants' claimed feature of the apparent density of the base fabric of each of fiber-made surface fastener members which engage each other is 0.5 g/cm³.

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As to claim 20, JP '607 does not disclose or suggest the feature of Applicants' claimed invention that the base fabric of the fiber-made surface fastener members has a multiple weaving/knitting structure produced by weaving or knitting in multiple layers via a binding yarn. Furthermore, JP '607 does not disclose or suggest the apparent density of the base fabric, particularly the apparent density of the base fabric being 0.5 g/cm³ or less.

As to the rejections of claims 22 and 23 in Office Action paragraphs 3 and 4, claims 22 and 23 ultimately depend from independent claims 13-15 and are allowable at least for the same reasons claims 13-15 are allowable.

Applicants also assert that none of the references cited in the Office Action disclose or suggest the ranges of frequencies claimed by Applicants in independent claims 13-15. For this reason alone all of the rejections should be withdrawn.

Therefore, independent claims 13-15 are allowable.

The dependent claims are allowable at least for the same reasons that their respective independent claims are allowable.

Thus, Applicants submit that the §103 rejections should be withdrawn.

CONCLUSION

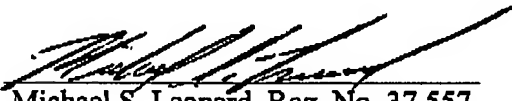
For the foregoing reasons, Applicants submit that the patent application is in condition for allowance and request a Notice of Allowance be issued.

Respectfully submitted,

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